UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,142	12/21/2001	Kelly C. Morgan	BS01-165	5474

28970 7590 10/25/2004		

SHAW PITTMAN
IP GROUP
1650 TYSONS BOULEVARD
SUITE 1300
MCLEAN, VA 22102

EXAMINER
TRAN, QUOC A

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 10/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 December 2001_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-36_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-36_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to application filed 12/21/2001.

2.   Claims 1-36 are pending. Claims 1, 10, 18 and 29 are independent claims.

3.   If a copy of a provisional application listed on the bottom portion of the

accompanying Notice of References Cited (PTO-892) form is not included with this

Office action and the PTO-892 has been annotated to indicate that the copy was not

readily available, it is because the copy could not be readily obtained when the Office

action was mailed. Should applicant desire a copy of such a provisional application,

applicant should promptly request the copy from the Office of Public Records (OPR) in

accordance with 37 CFR 1.14(a)(1)(iv), paying the required fee under 37 CFR

1.19(b)(1). If a copy is ordered from OPR, the shortened statutory period for reply to

this Office action will not be reset under MPEP § 710.06 unless applicant can

demonstrate a substantial delay by the Office in fulfilling the order for the copy of the

provisional application. Where the applicant has been notified on the PTO-892 that a

copy of the provisional application is not readily available, the provision of MPEP

§ 707.05(a) that a copy of the cited reference will be automatically furnished without

charge does not apply.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   **Claims 1-4, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable by Lipkin et al. US Pub No. 2002/0049788 A1 - filed 01/12/2001 (hereinafter '788), in view of Manepalli US Pub No. 2003/0074636 A1 -filed 10/11/2002 provisional No. 60/328819 – filed 10/15/2001 (hereinafter '636).**

In regard to independent claim 1, *"(a) creating a document type definition (DTD);(d) applying an extensible stylesheet language (XSL) construct to the data that is input at step (c)"*, as taught by '788 at page 29 paragraph [0532] (i.e.... chosen "DTD" ... created document is then rendered by applying an XSL stylesheet to it and formatting it to the specified resource type (HTML, PDF, XML, WML, XHTML, etc.), *"(e) saving the data in the form of extensible markup language (XML) consistent with the DTD"*, as taught by '788 at page 58 paragraph [0850] (i.e.... A Saba Employee object is instantiated based on the canonical XML document. This object is then saved, committing any changes to the database. ...).

'788 does not explicitly teach, *"(b) generating a form-based data entry interface based, at least in part, on the DTD; (c) inputting data into the form-based data entry interface"*, however as taught by '636 at page 2 paragraph [0027] (i.e.... (GUI) forms from an XML specification such as a DTD (document type definition)...The GUI form

can then be used by a user to enter data (user input/data) into the form, and an XML

document is generated corresponding to the DTD and the user input....

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified '636 into '788 to provide a way, wherein inputting

data using form-based data entry interface, which is at least in part, of the DTD. One of

the ordinary skills in the art would have been motivated to perform such a modification

to provide ease of use, quick and accurate data generation from XML DTD, as taught by

'636 at page 2 paragraphs [0008]- [00011] (i.e.... XML document....), more over

using these technologies, the Web Content Server allows for easier user interface

customization, more flexibility in page functionality, easier page maintenance and the

creation of more easily reusable code, as taught by '788 at page 29, paragraph [0534]

(i.e... Using these technologies, the Web Content Server 800 allows for easier user

interface customization...).

In regard to dependent claim 2, "*the DTD defines an aspect of a business*", as

taught by '788 at page 3 paragraph [00047] (i.e.... The Core Services are made

available to a multitude of common business objects, which themselves are made

available to various applications...).

In regard to dependent claim 3, "*the content is represented by the DTD*", as

taught by '788 at page 29 paragraph [0532] (i.e.... XML content is further processed-

they only need to know about the particular chosen "DTD"...).

In regard to dependent claim 4, "*saves data in a Form other than XML*", as

taught by '788 at page 31 paragraphs [0569]-[0571] (i.e.... page displays the data and

widgets contained in the model instance (i.e. the XML document produced by executing

the model page ... After the model page executes the produced widgets are

transformed to the appropriate output format (e.g., HTML)... HTML markup is wrapped

in tags ... The tag library...).

In regard to dependent claim 6, "*employing the data saved at step (e) for*

different purposes", as taught by '788 at page 32 paragraph [0582] (i.e.... Content

production and presentation separation is achieved by following a Model-View-Widget

(MVW) paradigm... responsible for generating the final output sent to the client (desktop

browser, WAP phone, handheld device ...).

6.   **Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable by Lipkin**

et al. US Pub No. 2002/0049788 A1 - filed 01/12/2001 (hereinafter '788), in view of

Manepalli US Pub No. 2003/0074636 A1 -filed 10/11/2002 provisional No. 60/328819

– filed 10/15/2001 (hereinafter '636), in further view of Murthy et al. US Pub No.

2003/0140308 A1 - provisional 60/326052 filed 09/28/2001 (hereinafter '308).

In regard to dependent claim 5, '788 and '636 do not explicitly teach, "data

saved at step (e) *are: saved in World Wide Web consortium (W3C) compliant XML*"

however as taught by '308 at page 2 paragraph [0031]-[0046] (i.e... for managing XML

data within a database system in a manner that increases the correlation between the

structure imposed on the data by the database containers used to hold the

data...register any W3C compliant XML...).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified '308 into '788 and '636 to provide a way, wherein

saving the data at step (e) are saved in World Wide Web consortium (W3C) compliant

XML. One of the ordinary skills in the art would have been motivated to perform such a

modification to provide ease of use, quick and accurate data generation from XML DTD,

as taught by '636 at page 2 paragraphs [0008]- [00011] (i.e.... XML document....), more

over using these technologies, the Web Content Server allows for easier user interface

customization, more flexibility in page functionality, easier page maintenance and the

creation of more easily reusable code, as taught by '788 at page 29, paragraph [0534]

(i.e... Using these technologies, the Web Content Server 800 allows for easier user

interface customization...).

7.   **Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable by**

Lipkin et al. US Pub No. 2002/0049788 A1 - filed 01/12/2001 (hereinafter '788), in

view of Manepalli US Pub No. 2003/0074636 A1 -filed 10/11/2002 provisional No.

60/328819 – filed 10/15/2001 (hereinafter '636), in further view of Wang et al. US

Pub No. 2002/0003547 A1 - filed 02/28/2001 (hereinafter '547).

In regard to dependent claims 7-9, '788 and '636 do not explicitly teach, "data

saved at step (e) *are: ... a graphics product..., a text-to-voice information..., and a*

wireless message", however as taught by '547 at page 2 paragraph [0024]-[0026]

(i.e... text-to-speech software... Extensible Markup Language (XML), and adaptations

of these for voice and wireless systems such as Wireless Markup Language (WML)

and Voice Extensible Markup Language (VoiceXML)... provide a user with: (a) access

to information such as news headlines, financial information, weather information, etc.,

in a manner that is personalized and substantively controlled by the use...).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified '547 into '788 and '636 to provide a way, wherein

saving the data at step (e) are employed: a graphics product..., a text-to-voice

information..., and a wireless message. One of the ordinary skills in the art would have

been motivated to perform such a modification to provide ease of use, quick and

accurate data generation from XML DTD, as taught by '636 at page 2 paragraphs

[0008]- [00011] (i.e.... XML document....), more over using these technologies, the Web

Content Server allows for easier user interface customization, more flexibility in page

functionality, easier page maintenance and the creation of more easily reusable code,

as taught by '788 at page 29, paragraph [0534] (i.e... Using these technologies, the

Web Content Server 800 allows for easier user interface customization...).

8.   **Claims 10-11, 13, 15, 17-26, 29-31, 33 and 35-36 are rejected under 35**

U.S.C. 103(a) as being unpatentable by Lipkin et al. US Pub No. 2002/0049788 A1

- filed 01/12/2001 (hereinafter '788), in view of Chrisfort et al. US Pub No.

2002/0078168 A1 -filed 09/05/2001 (hereinafter '168).

In regard to independent claim 10, "*(a) accessing an extensible markup*

language XML file in a database that is at least partially representative of the entry to be

included in the directory, the XML file being based on a document type definition (DTD)

consistent with the directory... the first software program has a native file saving format

that is different from a format of the XML file", as taught by '788 at page 29 paragraph

[0532] (i.e.... The platform 808 divides the development of web content into three

separate levels: (a) XML creation-The XML file is created by the content owners. They

do not require specific knowledge on how the XML content is further processed-they only need to know about the particular chosen "DTD" or tagset for their stage in the process. This layer can be performed by users directly, through normal editors or XML-aware tools/editors; (b) XML processing-The requested XML file is processed and the logic contained in its logicsheet is applied. Unlike other dynamic content generators, the logic is separated from the content file; and (c) XSL rendering-The created document is then rendered by applying an XSL stylesheet to it and formatting it to the specified resource type (HTML, PDF, XML, WML, XHTML, etc.));

"(c) populating selected fields in the form by transforming the XML file using (i) an extensible stylesheet transformation (XSLT) file and (ii) an application programming interface (API) exposed by the first software program", as taught by '788 at page 29 paragraphs [0534]-[0537] (i.e.... The Web Content Server 800 can be based on XML, XSLT and Java technologies. Using these technologies, the Web Content Server 800 allows for easier user interface customization, more flexibility in page functionality ... The Model can be implemented using a dynamic page engine (JSPs or XSPs). In addition, API 808 provides...);

"(e) spawning a graphics page using the first software program and displaying the entry", as taught by '788 at page 30 paragraphs [0547]-[0551] (i.e. Page development process ...using the HTML mockup 884...The specification 890 includes a list of all labels and images used on the page...);

"(f) saving the entry as an XML file", as taught by '788 at page 58 paragraph

[0850] (i.e. ... object is instantiated based on the canonical XML document. This object

is then saved, committing any changes to the database...).

'788 does not explicitly teach, *"(b) launching a first software program, the first*

software program presenting a form that is displayed on a computer...(d) at least one

of modifying the selected fields and adding data to fields other than the selected

fields", however as taught by '168 at page 3 paragraph [0022] (i.e.... A request is

received from a user running a browser on a client to develop a new application. In

response to the request, a first electronic document, such as a web page, is provided

to the client for display on the user's browser of an application development interface.

The interface may include several types of objects, including an edit field for typing in

code for an application. ... Similarly, the interface may be used to retrieve and edit

existing application code, or to test, deploy, or delete existing application code....).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified '168 into '788 to provide a way, wherein launching

a first software program, that is displayed on a computer including modifying feature ,

herein the selected fields and adding data to fields other than the selected fields as.

One of the ordinary skills in the art would have been motivated to perform such a

modification to provides improved techniques for designing applications that more

effectively work with all devices. It is also desirable to have improved techniques for

creating applications. Further, it is desirable to have improved techniques that allow

service providers to offer additional services. Also, it is desirable to have improved

techniques for incorporating stored data into an application, as taught by '168 at page 2

paragraph [0021] (i.e.... improved techniques ....), more over using these technologies,

the Web Content Server allows for easier user interface customization, more flexibility in

page functionality, easier page maintenance and the creation of more easily reusable

code, as taught by '788 at page 29, paragraph [0534] (i.e... Using these technologies,

the Web Content Server 800 allows for easier user interface customization...).

In regard to dependent claim 11, "*editing components of the entry using a*

second software program", as taught by '788 at page 230 paragraphs [0552] (i.e....

HTML editor...).

In regard to dependent claim 13, "*the directory comprises a dining guide*", as

taught by '168 at page 13 paragraph [0249] (i.e.... dining directory module ...).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified '168 into '788 to provide a way, wherein the

directory comprises a dining guide. One of the ordinary skills in the art would have been

motivated to perform such a modification to provides improved techniques for designing

applications that more effectively work with all devices. It is also desirable to have

improved techniques for creating applications. Further, it is desirable to have improved

techniques that allow service providers to offer additional services. Also, it is desirable

to have improved techniques for incorporating stored data into an application, as taught

by '168 at page 2 paragraph [0021] (i.e.... improved techniques ....), more over using

these technologies, the Web Content Server allows for easier user interface

customization, more flexibility in page functionality, easier page maintenance and the

creation of more easily reusable code, as taught by '788 at page 29, paragraph [0534] (i.e... Using these technologies, the Web Content Server 800 allows for easier user interface customization...).

In regard to dependent claim 15, "*selecting an entry style*", as taught by '788 at page 28 paragraphs [0518] (i.e.... Style Sheet Control System 810 contains mechanisms to manipulate various kinds of display style sheets, to generate and execute web links, to manage dynamic content generation and dynamic generation of Javascript...).

In regard to dependent claim 17, "*accessing the XML tile via a copy ID*", as taught by '788 at page 51 paragraphs [0834] (i.e...., the AccessorReader 950 is responsible for (1) Establishing a connection into the system based on the User Id ...Extracting the required object based on the information passed in Local Object (3) Transforming that Object into a serialized representation, which is an XML document (4) ... into a single Local XML representation (7) Returning this XML document back to the Accessor ...).

In regard to independent claim 18, incorporate substantially similar subject matter as cited in claims 10-11, and 17 above, and is similarly rejected along the same rationale.

In regard to dependent claim 19, incorporate substantially similar subject matter as cited in claims 10-11, 17 and 14 above, and is similarly rejected along the same rationale.

In regard to dependent claim 20, incorporate substantially similar subject matter as cited in claims 10-11, 17 and 13 above, and is similarly rejected along the same rationale.

In regard to dependent claim 21, incorporate substantially similar subject matter as cited in claims 10-11, 17 and 16 above, and is similarly rejected along the same rationale.

In regard to dependent claims 22-23, incorporate substantially similar subject matter as cited in claims 10-11, 17 and 17 above, and is similarly rejected along the same rationale.

In regard to dependent claim 24, incorporate substantially similar subject matter as cited in claims 10-11, and 17 above, and is similarly rejected along the same rationale.

In regard to dependent claim 25, incorporate substantially similar subject matter as cited in claims 10-11, 17 and 14 above, and is similarly rejected along the same rationale.

In regard to dependent claim 26, incorporate substantially similar subject matter as cited in claims 10-11, 17 and 14 above, and in further view of the following, and is similarly rejected under the same rationale;

"wherein the first file format is XFDF", as taught by '788 at page 29 paragraphs [0532] through [0534] (i.e.... XML-aware tools/editors; (b) XML processing-The requested XML file is processed ...and (c) XSL rendering-The created document is then rendered by applying an XSL stylesheet to it and formatting it to the specified resource

type... PDF, XML, WML, XHTML, etc... The Web Content Server 800 can be based on

XML, XSLT and Java technologies. Using these technologies, the Web Content Server

800 allows for easier user interface customization, more flexibility in page functionality,

easier page maintenance and the creation of more easily reusable code). Examiner

reads XML using XSL rendering resource PDF, which could be interpreted as the

claimed *"format is XFDF"*.

In regard to claims 29-31, are directed to a system for performing the method of

claim 10 and are similarly rejected along the same rationale.

In regard to independent claim 33, is directed to a system for performing the

method of claim 13 and is similarly rejected along the same rationale.

In regard to dependent claims 35-36, are directed to a system for performing

the method of claim 17 and is similarly rejected along the same rationale.

9.   **Claims 12, 27 and 32 are rejected under 35 U.S.C. 103(a) as being**

unpatentable by Lipkin et al. US Pub No. 2002/0049788 A1 - filed 01/12/2001

(hereinafter '788), in view of Chrisfort et al. US Pub No. 2002/0078168 A1 -filed

09/05/2001 (hereinafter '168), in further view of Chen et al. US Pub No.

2003/0018694 A1 -filed 08/31/2001 (hereinafter '694).

In regard to dependent claim 12, '788 and '168 do not explicitly teach, *"saving*

the entry as an encapsulated postscript (EPS) file", however as taught by '694 at page

25 paragraph [0349] (i.e.... the static content asset type is any one or more of the

following: ... a PDF (Portable Document Format), ... an EPS (Encapsulated Postscript)

file, a PNG (Portable Network Graphics) file, an XML file, a WML (Wireless Meta

Language) file, a BMP (Bit Map) file, an XHTML (extended HTML) file, a DHTML

(Dynamic HTML) file, an MPEG (Motion Picture Expert Group) file, an AVI file, and any

static content transferable via an HTTP protocol).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified '694 into '788 and '168 to provide a way, wherein

saving the entry as an encapsulated postscript (EPS) file. One of the ordinary skills in

the art would have been motivated to perform such a modification to show the common

property of XML file and EPS file, since both are the static content asset type, as taught

by '694 at page 25 paragraph [0349] (i.e.... the static content asset type is any one or

more of the following: an EPS (Encapsulated Postscript) file, an XML file, ...), more

over using these technologies, the Web Content Server allows for easier user interface

customization, more flexibility in page functionality, easier page maintenance and the

creation of more easily reusable code, as taught by '788 at page 29, paragraph [0534]

(i.e... Using these technologies, the Web Content Server 800 allows for easier user

interface customization...).

In regard to dependent claim 27, incorporate substantially similar subject

matter as cited in claim 12 above, and is similarly rejected under the same rationale.

In regard to dependent claim 32, is directed to a system for performing the

method of claim 12 and is similarly rejected along the same rationale.

10.   **Claims 14, 16 and 34 are rejected under 35 U.S.C. 103(a) as being**

unpatentable by Lipkin et al. US Pub No. 2002/0049788 A1 - filed 01/12/2001

(hereinafter '788), in view of Chrisfort et al. US Pub No. 2002/0078168 A1 -filed

09/05/2001 (hereinafter '168), in further view of Ridgley et al. US Patent No.

6,583800 B1 -filed 06/14/1999 (hereinafter '800).

     In regard to dependent claims 14 and 16, '788 and '168 do not explicitly teach,

"the entry comprises an advertisement in the dining, and the entry style is described by

a universal directory advertising code (UDAC)", however as taught by '800 at col. 15,

line 45 through col. 16, line 10 (i.e.... FIGS. 9A through 9Y, there is shown a grid layout

in conformity with FIG. 1B, with information in the various areas of CONTEXT 101,

IDENTITY 102, DESIRE 103 and CONTENT 110 (.... FIG. 9A begins the sequence with

a display of "Interactive Computer Net, Inc.", which may be an Internet Service whose

selection 901 provides access to the Yellow Pages in Northern Virginia, as shown in

FIG. 9B. Selection of the Yellow Pages item 902 produces an alphabetical range

presentation shown in FIG. 9C. If the user is seeking "restaurants", ...continues in FIG.

9D with the selection 904 of "Recording to Restaurants" and in FIG. 9E with the

selection 905 of "Restaurant Equipment to Restaurants." Note that in ... Upon selection

906 of "Restaurants" another alphabetical list--this time of restaurant names--appears

as shown on FIG...). Examiner reads yellow pages item 902, which could be interpreted

as the claimed *"advertisement in the dining, and style is described by a universal*

directory advertising code (UDAC) ".

     It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified '800 into '788 and '168 to provide a way, wherein

the entry comprises an advertisement in the dining, and the entry style is described by a

universal directory advertising code (UDAC). One of the ordinary skills in the art would

have been motivated to perform such a modification to provides a simple interface that

is intuitive for users who are not familiar with computers, and yet powerfully enables

these users to find, collect and act upon vast quantities of information made available by

computer, as taught by '800 at col. 1, lines 50-60 (i.e.... simple interface ....), more over

using these technologies, the Web Content Server allows for easier user interface

customization, more flexibility in page functionality, easier page maintenance and the

creation of more easily reusable code, as taught by '788 at page 29, paragraph [0534]

(i.e... Using these technologies, the Web Content Server 800 allows for easier user

interface customization...).

In regard to independent claim 34, is directed to a system for performing the

method of claim 14 and is similarly rejected along the same rationale.

11.   Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable by Lipkin

et al. US Pub No. 2002/0049788 A1 - filed 01/12/2001 (hereinafter '788), in view of

Chrisfort et al. US Pub No. 2002/0078168 A1 -filed 09/05/2001 (hereinafter '168), in

further view of Chen et al. US Pub No. 2003/0018694 A1 -filed 08/31/2001

(hereinafter '694), in further view of Keane et al. US Patent No. 6,650,433 B1 -filed

04/25/2000 (hereinafter '433).

In regard to dependent claim 28, '788, '168 and '694 do not explicitly teach,

"forwarding the EPS file to a printer.", however as taught by '433 at col. 12, lines 20-30

(i.e.... The customer's graphic file is stored in network storage 22, and is referenced by

the XML file created by the customer in the website studio and added to the PostScript

file for the customer's print job when the PostScript file is created...).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified '433 into '788, '168 and '694 to provide a way,

wherein the encapsulated postscript (EPS) file is forwarding to a printer. One of the

ordinary skills in the art would have been motivated to perform such a modification to

save time and cost for performing short-run print jobs, e.g., business cards, letterheads,

sell sheets, invitations, announcements, folders, brochures, and marketing materials,

are generally printed by commercial printers using relatively small, low cost printing

equipment, as taught by '433 at col. 1, lines 9-25 (i.e... Short-run print jobs, e.g., ...,

brochures, and marketing materials....).

Conclusion

12.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Linvingston et al   USPAT- 6,424,979B1   filed 09/23/1996

Laverty et al   .   USPAT- 6,353,483B1   filed 03/29/1996

13.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Quoc A. Tran whose telephone number is (703) 305-

8781, "**After Oct 20, 2004, the examiner can be reach at (571) 272- 4103**". The

examiner can normally be reached on Monday through Friday from 8:30AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quoc A. Tran
Patent Examiner
Technology Center 2176
October 13, 2004

JOSEPH H. FEILD
PRIMARY EXAMINER